



JAY D. LIVINGSTONE
STATE REPRESENTATIVE
8TH SUFFOLK DISTRICT

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES
STATE HOUSE, BOSTON 02133-1054

Committees:
Vice Chair, Public Service
Consumer Protection and Professional Licensure
Municipalities and Regional Government
Post Audit and Oversight

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June 7, 2021

Hon. Josh Cutler, House Chair
Joint Committee on Labor and Workforce Development
State House, Room 167
Boston, MA, 02133

Hon. Patricia Jehlen, Senate Chair
Joint Committee on Labor and Workforce Development
State House, Room 424
Boston, MA, 02133

Re: H.2016 — An Act for unemployment rules for gig economy

Dear Chair Cutler and Chair Jehlen:

I write to you today to advocate for H.2016, a bill that I have filed to protect the rights of workers in the Commonwealth's gig economy.

I was greatly troubled at the start of the pandemic when Uber and Lyft drivers reached out and said that they were ineligible for unemployment benefits (as they were classified as independent contractors) and had no work. As a result, they had no resources to buy food or pay for their housing or any other bills. The workers were looking to the state (and taxpayers) to provide for them as the companies for which they performed had not contributed at all to our unemployment system. I filed this bill to address this situation.

There is a larger looming problem where gig economy companies believe their workers should not be subject to many of our employment laws, such as minimum wage law. This bill just focuses on the unemployment system. If a company has a business model where independent contractors are performing the work to deliver their service, those workers should be in the unemployment system at a minimum and companies should contribute to it. The companies should not be able to avoid the costs that other companies incur just because they are a "gig economy" company.

The bill would require companies operating with this independent contractor business model to play by the same rules as other employers and give their workers this minimum benefit.

Last term, this legislation received a favorable report and I hope that the committee will report this bill out favorably again this term.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jay Livingstone".

Jay Livingstone
State Representative
8th Suffolk district